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A MONTANA COMMUNITY WORKBOOK

VOLUME ONE:
SUBDIVISION

VOLUME TWO:
HARD ROCK
MINING

prepared
by the
Environmental
Information
Center

June 1977

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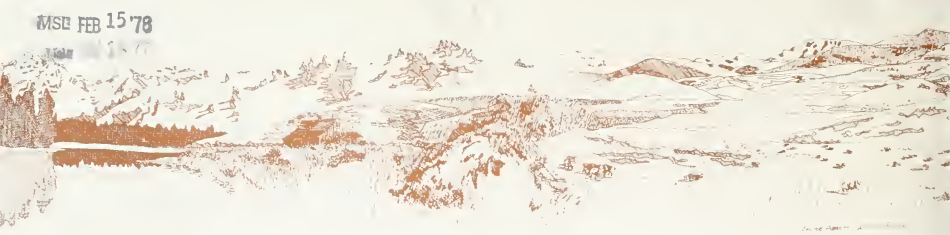

Environmental Information Center Box 12, Helena, MT 59601 (406) 443-2520

A mining company has just decided to open a copper mine on the outskirts of your community...and you're concerned.

Or, a large subdivision is about to move into your neighborhood... and you're concerned.

You may have many questions: Will my taxes go up? Will property values go down? What about increased traffic? Noise? Safety? Air and water quality? But, if you're like most of us, these all too often boil down to one frustrating question: *What can I do?*

That's the reason for this WORKBOOK -- to show what you *can* do!

There are actually a number of laws and regulations that give you a strong say in the future development of your community. None of them requires you to have any legal or scientific expertise, or even a great deal of money. What they do require is your commitment to collecting good information, making sound decisions and, most importantly, backing that up with some hard work.

We don't say that's as easy as sitting back and letting the "other guy" do it for you...but we're gambling that you'll agree with us that the results are worth it.

We are the Environmental Information Center (EIC), and we've been working in Montana since 1974 for the wise use of our state resources. If you have any questions about the WORKBOOK, if you are interested in other issues, or if you're thinking about joining EIC, please call us at (406)443-2520, write us at Box 12, Helena, MT, 59601, or drop by and see us at 107 West Lawrence.

The Office of Education in the Department of Health, Education and Welfare provided the funds for this WORKBOOK. We'd like to thank them, and also thank the many citizens, professional people and government officials who generously helped us with the project.

The EIC Staff,
June, 1977

P.S. Would you help us update and improve this WORKBOOK? When you have finished, please fill out and send in the evaluation form we provided in the back. Thanks!

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If you're concerned about a development in your area, there's a good chance that some of your neighbors share your concern. And, since the WORKBOOK contains a lot of work for one person, why not get them together and split up the task?

Both the hard rock and the subdivision sections use the same procedure. First, you go to a list of sources and find what impacts the development will have on your community. Second, you weigh the information you gathered and decide whether the development will benefit your community -- in which case you're done -- or the development has one or more weaknesses, in which case you advance to the management list to find out what you can do about it. That list also has a number of sources you can contact for more information.

Call some of your neighbors together for a first meeting, discuss everybody's concerns about the development, then split the interested people into task forces to investigate the listed impact areas. Then, before you end that first meeting, make sure everybody knows the tasks they have agreed to do and set a date for your next meeting (probably from three to four weeks away).

You might want to call and remind your neighbors shortly before that date. During the second meeting, evaluate the information you gathered, decide whether the development will pose any problems and, if so, assign all likely-looking management tools to task forces for investigation. You might also want to reassign any impact areas where information was missing last time.

At the third meeting, evaluate the management options you investigated. Some may be as easy as a phone call; others might require a lawyer and court proceedings. Choose the one(s) best for you, then go to work!

There's a side benefit to this community networking -- many groups start out with one important issue, then get interested in others. Sometimes they start holding social gatherings and serving as the focus of an active, involved community. But the real reward is knowing you're helping to build the kind of community you want...one you're happy to live in.

Good luck!

SUBDIVISION MANAGEMENT
SUBDIVISION MANAGEMENT
SUBDIVISION IMPACTS
SUBDIVISION IMPACTS
COMMUNITY NETWORKING

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SUBDIVISION

You're interested in a subdivision.

The subdivision that somebody wants to build near you might mean many things to a community: new housing, new neighbors, an expanding tax base and booming economy...

But what else can it mean? Traffic congestion? New schools and higher taxes? Noise? Crowding? Crime?

More and more, Montanans are discovering that there are no easy answers to the problems a subdivision can raise when it enters a community. But now, with the rapid spread of subdivisions in many areas of Montana, it's clear that it is time to begin looking for answers.

The place to begin is your community. This section of the WORKBOOK gives you two things: a list of impacts which subdivisions often have, and a list of management tools you may be able to use to eliminate negative impacts. Each list gives you sources to go to for further information.

One note before you start -- if you're seeing a large number of small, patchy subdivisions in your area, don't try to investigate the impacts of each separately; add the number of lots together and treat it as one development.

IMPACTS

There are 18 impact areas in this section. Within each area, go to the listed sources and try to answer as many of the questions you can (along with any others you think of). You probably also will come up with some good sources of information that we didn't think of. Then, for each one of the impact areas, decide whether the development will pose no problems (SAtisfactory), some problems (UNsatisfactory) or you don't have enough information to judge (No Answer).

SA UN NA ☐ ☐ ☐

PUBLIC HEALTH

Is there enough water in your area to serve the new subdivision? Where does it come from? If it comes through a community water treatment plant, can your present system handle the increase, or will you have to upgrade it or build a new facility? Who pays the costs?

Where will the solid waste go that the subdivision generates? Can your present facilities handle the increase, or will you have to build new ones? Who pays the costs?

If the subdivision design calls for individual septic systems, can your area safely support them? If the sewage goes through a community waste treatment plant, can your existing system handle the increase, or will you have to upgrade it or build a new one? Who pays the costs?

CONTACT: your local health dept. or the State Dept. of Health and Environmental Sciences, Water Quality Bureau, 555 Fuller Ave., Helena, MT, 59601 -- 449-2406

SA UN NA ☐ ☐ ☐

SCHOOLS

How many school-age children will the subdivision add to your area? How much will it cost to educate each? What new facilities will your school system need to serve the increase? Who pays the costs?

CONTACT: your local school employees or board or the State Supt. of Public Instruction, Capitol Station Room 106, Helena, MT, 59601 -- 449-3654

SA UN NA ☐ ☐ ☐

TAXATION

Will the subdivision affect the taxation of other lots in the community? Are a large number of lots being purchased by out-of-state buyers, who may present a tax collection problem?

CONTACT: your local tax assessor or your county clerk and recorder's office

SA UN NA ☐ ☐ ☐

LANDMARKS

Will the subdivision affect any historical, natural or archeological landmarks?

CONTACT: local historians or the Dept. of Fish and Game, Recreation and Parks Division, 1420 E. Sixth, Helena, MT, 59601 -- 449-3750

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SA UN NA

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SPRAWL

Is other residential, commercial or industrial growth likely to follow this subdivision into your area?

CONTACT: residents of areas that have seen similar development or your local planning dept.

SA UN NA

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AIR

Will the subdivision affect your area's air quality? What about the exhaust from increased traffic? Dust during construction?

CONTACT: your local health dept. or the State Dept. of Health and Environmental Sciences, Air Quality Bureau, Cogswell Bldg. Room 224, Helena, MT, 59601 449-3454

SA UN NA

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UTILITIES

Are electric, gas and telephone lines accessible to all segments of the subdivision? How much will it cost to extend services to new areas? Will the rates of present customers change?

CONTACT: your utility companies

SA UN NA

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CRIME

Can your existing local law enforcement system handle the increase in population? What about court and jail costs? Would any new facilities be needed? Who pays the costs? Would your insurance rates change?

CONTACT: your local law enforcement officials and your insurance agent

SA UN NA

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NOISE

Would close neighbors or increased traffic create a noise nuisance for you? Would noise on your property disturb a nearby subdivision lot?

CONTACT: residents of areas that have seen similar growth

SA UN NA

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FIRE

Can your existing fire-fighting system handle the increase in population? What new facilities would you need? Who pays the costs?

CONTACT: your local fire dept.

SA UN NA ☐ ☐ ☐

TRAFFIC

Can your existing roads handle the increase in traffic? Will they need upgrading? Any new roads? Will costs of maintenance and patrolling change? Who pays the costs? Will heavier traffic pose a safety hazard for children, pets or livestock?

CONTACT: your local highway dept. or the State Dept. of Highways, Information Unit, Highway Bldg. Room 220, Helena, MT, 59601 -- 449-2492

SA UN NA ☐ ☐ ☐

FLOODING

Is the subdivision located on a floodplain? If it is, are roads and structures designed to withstand flooding? Will paved areas on the floodplain greatly increase runoff and downstream flooding problems? Is federally-subsidized flood insurance available?

CONTACT: the Dept. of Natural Resources and Conservation, Floodway Management Bureau, 32 South Ewing, Helena, MT, 59601 -- 449-2872

SA UN NA ☐ ☐ ☐

ENVIRONMENT

How will the subdivision impact fish, wildlife or natural areas? Will these impacts have any effect on recreation in your area? Are any rare or endangered species likely to be impacted?

CONTACT: the Dept. of Fish and Game, Information Division, 1420 East Sixth Ave., Helena, MT, 59601 -- 449-2446

SA UN NA ☐ ☐ ☐

GOVERNMENT

Is your present form of local government adequate to serve the increase in population? What changes would be needed? Would the cost of providing governmental services change?

CONTACT: employees and officials of your local government

SA UN NA ☐ ☐ ☐

EROSION

Will erosion and silt be a problem, either during or after construction? What safeguards have been designed into the subdivision to forestall these problems?

CONTACT: a soils scientist or the Dept. of Health and Environmental Sciences, Water Quality Bureau, 555 Fuller, Helena, MT, 59601 -- 449-2406

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RECREATION

Can existing public and private recreation facilities in your area serve the increase in population? Will the cost of recreation change? Will the subdivision interfere with hunting, fishing or any other recreational activities?

CONTACT: the operators of public and private recreation facilities in your area

SA UN NA

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MEDICAL

Are your present hospital, emergency and other health care systems adequate to serve the increase in population? What new facilities would be necessary? Who pays the costs?

CONTACT: the staff or governing boards of local medical services

SA UN NA

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AGRICULTURE

Is the subdivision near any agricultural areas? Will the development mean an increase in trespass? Stock harassment? Vandalism? Opened gates? Fire hazards? Will taxation of agricultural land be affected? What about levies for local services?

CONTACT: farmers and ranchers in areas that have seen development

SUMMATION

For a general guide to the impacts of this subdivision, add up the number of checks in each column, out of the total of the eighteen impact categories.

SATISFACTORY	UNSATISFACTORY	NO ANSWER
☐	☐	☐

MANAGEMENT

This section is a list of 21 management tools that might be useful to you. Choose the ones that look like they may apply to your case, then contact the source(s) listed to find out what each one involves. Then, depending on your resources, pick one or more and put them to work!

COMMUNITY AFFAIRS

The Dept. of Community Affairs often advises citizens, agencies and government bodies in the review of a subdivision proposal, particularly on the socio-economic impacts. Write for a copy of their "Montana Subdivision Handbook" and to find out if they can be helpful in your case.

CONTACT: DCA, Planning Division, 1424 Ninth Ave., Helena, MT, 59601 -- 449-3757

CORPORATIONS

Every corporation that operates in Montana must file articles of incorporation with the Secretary of State. The articles include the name and purpose of the corporation, the name and address of a registered agent, and an annual report. You can telephone to request the date of incorporation and the name and address of the registered agent. You can request all other information by mail or in person. There is a charge for duplicating pages.

CONTACT: the Secretary of State, Capitol Station Room 202, Helena, MT, 59601 -- 449-2034

CHAPTER 41 ZONING

In an area 40 acres or larger, 60% of the landowners may petition to form a special zoning district. If they do, the County Commissioners create a Planning and Zoning Commission to work with the residents of the district and draw up zoning regulations. After holding a public hearing, the County Commissioners may adopt all or part of the zoning plan.

CONTACT: your local planning dept. or your County Commission

CHAPTER 47 ZONING

In counties that have adopted a comprehensive master plan, the County Commsioners can ask the local planning dept. to propose zoning districts and regulations to implement the plan. After holding a public hearing, the Commissioners can adopt part or all of the zoning plan. In areas in the process of developing a master plan or zoning regulations, the Commissioners may adopt temporary emergency zoning regulations for a period of one year, with one one-year extension possible.

CONTACT: your local planning dept. or your County Commission

PUBLIC LANDS

Subdivisions may be located within certain public lands, or need access over or otherwise impact others. The agency charged with managing that land often reviews the development, and sometimes must approve it.

CONTACT: the appropriate agency

CITIZEN ADVOCATE

If you have a question about any state agency, or if you have a problem dealing with any state official or agency, talk to the Montana Citizen's Advocate.

CONTACT: the Montana Citizen's Advocate, Capitol Station Room 216, Helena, MT, 59601 -- (toll-free) 1-800-332-2272 or 449-3468

SUBDIVISION AND PLATTING ACT

Montana's main subdivision law, the Subdivision and Platting Act, outlines the steps a developer must go through to get a subdivision reviewed and approved. It involves submitting information on the proposal and its impacts for public review, with the final decision coming from the County Commissioners. The Commissioners weigh eight public interest criteria to decide whether the subdivision should go through: the need for the subdivision; expressed public opinion; effects on agriculture; effects on local services; effects on taxation; effects on the natural environment; effects on wildlife and wildlife habitat, and effects on the public health and safety. Unfortunately, the vast majority of subdivisions in Montana escape this public review through large loopholes in the Act.

CONTACT: your local planning dept. or your local governing body

FLOODING

Subdivision within a designated floodplain or floodway may require permits from the local governing body, or, if local floodplain regulations don't exist, from the Dept. of Natural Resources and Conservation.

CONTACT: your local governing body or DNRC, Floodway Management Bureau, 32 S. Ewing, Helena, MT, 59601 -- 449-2872

DUST

Where dust will be a problem, either during or after construction, the developer may have to submit a dust suppression plan to the Dept. of Health and Environmental Sciences.

CONTACT: DHES, Air Quality Bureau, Cogswell Bldg. Room 224, Helena, MT, 59601 -- 449-3454

WATER QUALITY

The Montana Water Pollution Control Law makes it unlawful to discharge any wastes into state waters, or to place wastes in a position where they are likely to pollute state waters, unless the Dept. of Health and Environmental Sciences issues a wastewater discharge permit.

CONTACT: DHES, Water Quality Bureau, 555 Fuller Ave., Helena, MT 59601 -- 449-2406

EASEMENTS

A landowner may sever the development rights from a parcel of land and sell or donate those rights to a qualified private organization or public body. This "easement" runs with the land, and may be granted for 15 or more years, up to perpetuity. The grantor of an easement may be eligible for both an income tax break and a property tax break.

CONTACT: the Montana Land Reliance, P.O. Box 355, Helena, MT 59601 -- 443-7027

PARK DEDICATION

In subdivisions that come under review through the Subdivision and Platting Act, a developer may be required to dedicate land to parks, playgrounds and common areas. The size of the dedication depends on the acreage subdivided below ten acres in size.

CONTACT: your local planning dept. or your local governing body

TRANSMISSION LINES

If a subdivision requires routing of a large transmission line to supply electricity, the Dept. of Natural Resources and Conservation must issue a siting permit. If the line is under ten miles long and carries more than 230 KV, or is over ten miles long and carries more than 69 KV, it requires a permit.

CONTACT: DNRC, Energy Planning Division, 25 South Ewing, Helena, MT, 59601 -- 449-3780

PUBLIC HEALTH

Your local health dept. and the State Dept. of Health and Environmental Sciences review plans for water supply, sewage treatment and solid waste disposal in proposed subdivisions.

CONTACT: your local health Dept. or DHES, Subdivision Bureau, Board of Health Bldg., Helena, MT, 59601 -- 449-3946

NEPA & MEPA

Under the National Environmental Policy Act (NEPA), whenever a federal agency makes a decision "...significantly affecting the quality of the human environment..." that agency must prepare an environmental review of the proposed action, outlining the environmental impacts, any unavoidable negative impacts and alternatives to the proposal. NEPA was designed to provide good decision-making information to the public and all levels of government. The Montana Environmental Policy Act (MEPA) does about the same thing when state agencies make important resource decisions.

CONTACT: the appropriate agency

OUT-OF-STATE SALES

Subdividers selling Montana lots (more than five parcels, any one of which is smaller than five acres) in other states must register with the State Board of Real Estate and provide information on their lots. This includes facts about access, utilities and services, encumbrances on the land and advertising materials used to promote sales.

CONTACT: Montana Board of Real Estate, 42½ Last Chance Gulch, Helena, MT, 59601 -- 449-2961

WATER RIGHTS

If a subdivision will require any surface water or substantial amounts (more than 100 gallons/minute) of ground water, the Dept. of Natural Resources and Conservation must issue an appropriation permit. If the developer diverts less ground water, he must still file notice of the completion of the well within 60 days.

CONTACT: DNRC, Water Rights Bureau, 32 South Ewing, Helena, MT, 59601 449-3634

STREAM BEDS & BANKS

No person may alter the beds or banks of a natural, perennial-flowing stream without the permission of local authorities.

CONTACT: your county soil conservation district, or DNRC, Conservation Districts Division, 32 South Ewing, Helena, MT, 59601 -- 449-2608

OWNERSHIP

Your County Clerk and Recorder's office has records on who owns land, easements, mineral, water and development rights near a subdivision.

CONTACT: your County Clerk and Recorder

BUILDING CODES

For the purpose of promoting the health, safety, morals or general welfare of the community, the city or town council, or other legislative body of cities and incorporated towns is empowered to regulate and restrict the height, number of stories, size of buildings and other structures, percentage of the lot that may be occupied, size of yards, courts and other open spaces, density of population, and location and use of buildings, structures and land for trade, industry, residence, or other purpose.

CONTACT: your city or town governing body

LANDMARKS

Excavation in a registered antiquity site requires a permit from the Dept. of Fish and Game.

CONTACT: DF&G, Recreation and Parks Division, 1420 East Sixth Ave., Helena, MT, 59601 -- 449-3750

HARD ROCK MINING

You're interested in a hard rock mine.

More than a few Montana towns and cities can trace their beginnings back to the mines -- gold, silver and copper. And, more than a few Montanans took off into the hills, looking for that "rich strike" that meant fame and wealth...or at least another grubstake.

But, like everything else, mining has changed in Montana. If you look, you can still find that small prospector, working a lone claim...but now mining is a booming, profitable business, and large companies, expensive machines and new refining and mining technologies are setting the pace.

There's been another change, too. Montana has been filling up over the years, and now there's a good chance that that rich strike sits next to a populated area, agricultural land or recreational tract. And all too often, the mine's new neighbors find that living next to a mine is more than they bargained for, and that's where conflict arises.

The first part of this section is designed to help you see what that mine will mean to your community -- before it moves in. There's a list of impacts mines commonly have on an area, each impact with at least one source you can go to for more information. The second part is a list of management tools you may be able to use to clean up any bad impacts.

You may want to follow the community networking process we outlined on page three, but however you do it, good luck!

IMPACTS

There are 13 impact areas in this section, each with one or more sources to contact for more information. In each area, try to answer the questions we've listed, and any others you think of. Then, in each category, decide from the information you collect whether the development poses no problems (SAtisfactory), any problems (UNsatisfactory), or you don't have enough information to judge (No Answer), then check the correct box.

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STREAM BEDS & BANKS

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Will mining operations alter the bed or bank of a natural, perennial-flowing stream?

CONTACT: the Dept. of Fish and Game, Information Division, 1420 E. Sixth Ave., Helena, MT, 59601 -- 449-2446

WATER

SA UN NA

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How much water will the mine require? Where will it come from, and is there an adequate supply? What are the chances of water discharging from the mine? Will that water be in good condition? What are the plans for retaining and treating poor quality waters? Are there also proper safeguards to prevent toxic wastes from reaching state waters or drinking supplies? Is there a chance that mining might disrupt local water tables or aquifers?

CONTACT: your local health dept. or the State Dept. of Health and Environmental Sciences, Water Quality Bureau, 555 Fuller Ave., Helena, MT, 59601 -- 449-2406

ROADS

SA UN NA

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Can your existing road system handle the traffic from the mine? Will heavy machinery and ore trucks damage the road bed? Will maintenance costs go up? Will the mine traffic pose a safety hazard to children, pets or livestock?

CONTACT: your local highway authority or the State Dept. of Highways, Information Unit, Highway Bldg. Room 220, Helena, MT, 59601 -- 449-2492

AGRICULTURE

SA UN NA

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Are mining operations near any agricultural areas? Will there be any conflict between them over water rights? Stock grazing and right-of-ways? Will the mine and its roads mean an increase in trespass, stock harassment, vandalism, opened gates and fire hazard? Will the mine affect the taxation of agricultural land?

CONTACT: farmers and ranchers in areas that have seen mining development

PROPERTY VALUES

SA UN NA

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How will the mine affect your local property values?

CONTACT: your local tax assessor or real estate broker

SA UN NA ☐ ☐ ☐

FLOODING

Is the mine or any structure located on a floodplain? Would a flood damage operations? Are any waste ponds or piles located on the floodplain? Are they protected from flooding and high runoff?

CONTACT: the Dept. of Natural Resources and Conservation Floodway Management Bureau, 32 South Ewing, Helena, MT, 59601 -- 449-2872

SA UN NA ☐ ☐ ☐

SEWAGE

What are the plans to dispose of the sewage generated on the mining site?

CONTACT: your local health dept.

SA UN NA ☐ ☐ ☐

POPULATION

How many new residents will the mine bring into the area? If a substantial number will be living in or near your community, you should include the impacts in the section on subdivisions (the first part of the WORKBOOK) in your impact analysis.

CONTACT: the operator of the mine

SA UN NA ☐ ☐ ☐

RECLAMATION

What are the reclamation plans for lands disturbed by the mine? How long will they take after mining shuts down? Will any reclamation take place while the mine is operating? What future use is proposed for mining lands?
How will mine wastes, like tailings piles and ponds, be handled? Will all ponds be sealed against seepage, and all piles be stabilized against wind and water erosion? Will any toxic wastes remain? What precautions will be taken with these? How long will the waste dumps exist, and what are the long-term plans for their disposal?

CONTACT: the Dept. of State Lands, Environmental Coordinator, 1625 Eleventh Ave., Helena, MT, 59601 -- 449-2074

SA UN NA ☐ ☐ ☐

ENVIRONMENT

How will the mine impact fish, wildlife and natural areas? Will this affect recreation in the area? Are any rare or endangered species threatened by the mine?

CONTACT: the Dept. of Fish and Game, Information Division 1420 East Sixth Ave., Helena, MT, 59601 -- 449-2446

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LANDMARKS

Will the mine interfere with any historical, natural or archeological landmarks?

CONTACT: local historians or the Dept. of Fish & Game, Recreation and Parks Division, 1420 E. Sixth Ave., Helena, MT, 59601 -- 449-3750

SA UN NA

☐ ☐ ☐

BOOM & BUST

How long will the mine be operating? What impact will this have on the economy of the area? Will your community be adding on expensive utilities and services? Who pays for these when the mining is over? Will many new houses have been built? What will this do to the local housing market when the mine moves out?

CONTACT: your local planning dept. or the Dept. of Community Affairs, Planning Division, 1424 Ninth Ave., Helena, MT, 59601 -- 449-3757

SA UN NA

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AIR

What impact will the mine have on local air quality? What about the exhaust from vehicles and machinery? Dust from roads and piles?

CONTACT: the Dept. of Health and Environmental Sciences, Air Quality Bureau, Cogswell Bldg. Room 224. Helena, MT, 59601 -- 449-3454

SUMMATION

For a general guide to the impacts of this mine, add up the number of checks in each column, out of the total of thirteen impact categories.

SATISFACTORY	UNSATISFACTORY	NO ANSWER
☐	☐	☐

This section is a list of 17 management tools that might be useful to you. Choose all the ones that look like they could apply in your case, then contact the source listed to find out what each involves. Then, depending on what resources you have available, pick one or more tools and put them to work!

HARD ROCK MINING ACT

The Dept. of State Lands must issue a permit for a person to operate a large hard rock mine in Montana. The miner must submit a development and reclamation plan and post a bond to guarantee reclamation of disturbed land. Before issuing the permit, DSL determines that the reclamation plan is sound and that the mine will not conflict with state air and water quality standards. A small miner (under 100 tons mined/24 hr) is exempt from these rules providing he agrees, in writing, not to pollute or contaminate any stream, not to disturb more than five acres of surface at any one time, nor leave more than five acres unreclaimed, and to safely barricade any tunnel openings. The information a small miner gives DSL is confidential, as is the information a large miner gives before applying for an operating permit. DSL may only release the name of the miner and the county the mine is in.

CONTACT: DSL, Environmental Coordinator, 1625 Eleventh Ave., Helena, MT, 59601 -- 449-2074

STREAM BEDS & BANKS

No person may alter the beds or banks of a natural, perennial-flowing stream without the permission of local authorities.

CONTACT: your county soil conservation district, or DNRC, Conservation Districts Division, 32 South Ewing, Helena, MT, 59601 -- 449-2608

FLOODING

Mining operations on a designated floodway or floodplain may require permits from the local governing body, or, if local regulations don't exist, from the Dept. of Natural Resources.

CONTACT: your local governing body or DNRC, Floodway Management Bureau, 32 S. Ewing, Helena, MT, 59601 -- 449-2872

OWNERSHIP

Your County Clerk and Recorder's office has records on the owners of property, water and mineral rights near a mine.

CONTACT: your County Clerk and Recorder

MINE SAFETY

The Mining Enforcement and Safety Administration (MESA) is responsible for ensuring safe conditions in mining areas. While MESA has jurisdiction only on the actual mine site, it may be useful where poor explosive handling or blasting practices, unattended mine shaft openings and harmful water or waste discharges pose a danger to local residents.

CONTACT: Supervisory Mine Inspector, MESA Metal and Nonmetal Health and Safety, Dept. of Interior, 201 E. Sixth, Helena, MT, 59601 -- 449-5357

CITIZEN ADVOCATE

If you have a question about any state agency, or if you have problems in dealing with any state official or agency, get in touch with the Montana Citizen's Advocate.

CONTACT: the Montana Citizen's Advocate, Capitol Station Room 216, Helena, MT, 59601 -- 449-3468 or call toll-free 1-800-332-2272

NEPA & MEPA

Under the National Environmental Policy Act (NEPA), whenever a federal agency makes a decision "...significantly affecting the quality of the human environment..." that agency must prepare an environmental review of the proposed action, outling the environmental impacts, any unavoidable negative impacts and the alternatives to the action. NEPA was designed to provide good decision-making information to the public and all levels of the government. The Montana Environmental Policy Act (MEPA) does about the same thing when state agencies make resource decisions.

CONTACT: the appropriate agency

COMMUNITY AFFAIRS

The Montana Dept. of Community Affairs often advises citizens, agencies and governmental bodies in the environmental review of a proposed mine, particularly the socio-economic impacts.

CONTACT: DCA, Planning Division, 1424 Ninth Ave., Helena, MT, 59601 -- 449-3757

EXPLOSIVES

Persons using explosives and seismographs for geophysical exploration must file with the Secretary of State and request a permit from the County Clerk and Recorder. Also, local regulations may cover the transportation, use and storage or explosives.

CONTACT: your County Clerk and Recorder

CHAPTER 41 ZONING

In an area 40 acres or larger, 60% of the landowners may petition to form a special zoning district. If they do, the County Comm. create a Planning and Zoning Commission to work with residents of the district and draw up zoning regulations. After holding a public hearing, the County Comm. may adopt part or all of the plan.

CONTACT: your local planning dept. or your County Commissioners

BUILDING CODES

The City or Town Council, or the legislative body of a city or town may regulate the location and use of buildings, structures and land for trade, industry, residence or other purpose.

CONTACT: your local governing body

TRANSMISSION LINES

If a mine will require the routing of a large transmission line to supply electricity, the Dept. of Natural Resources and Conservation must issue a siting permit. If the line is under ten miles long and carries more than 230 KV, or is over ten miles long and carries more than 69 KV, it requires a permit.

CONTACT: DNRC, Energy Planning Division, 25 South Ewing, Helena, MT, 59601 -- 449-3780

CORPORATIONS

Each corporation wishing to operate in Montana must file articles of incorporation with the Secretary of State. The articles include the purpose of the organization, name and address of the registered agent, and an annual report. You can call to request the name of the agent and the date of incorporation. You can request all other information by mail or in person. There is a charge for duplicating pages.

CONTACT: the Secretary of State, Capitol Station Room 202, Helena, MT, 59601 -- 449-2034

AIR

The Dept. of Health and Environmental Sciences must issue a permit for the construction, installation or operation of any facility that may directly or indirectly cause or contribute to air pollution. In addition, local governments may administer their own air pollution program.

CONTACT: your local health dept. or DHES, Air Quality Bureau, Cogswell Bldg. Room 224, Helena, MT, 59601 -- 449-3454

WATER QUALITY

It's unlawful in Montana to discharge any wastes into state waters or to place wastes in a place where they are likely to pollute state waters, unless the Dept. of Health and Environmental Science issues a wastewater discharge permit.

CONTACT: DHES, Water Quality Bureau, 555 Fuller Ave., Helena, MT, 59601 -- 449-2406

PUBLIC HEALTH

The local health dept. and the State Dept. of Health and Environmental Sciences review plans for water supply, sewage treatment and solid waste disposal needed for mining operations.

CONTACT: your local health dept.

WATER RIGHTS

If a mining operation will require any surface water or substantial amounts (more than 100 gallons/minute) of ground water, the Dept. of Natural Resources and Conservation must issue an appropriation permit. If the developer diverts less ground water, he must still file notice of the completion of the well within 60 days.

CONTACT: DNRC, Water Rights Bureau, 32 South Ewing, Helena, MT, 59601 -- 449-3634

NOTES:

We hope the WORKBOOK has been useful to you. To help us improve it, would you send us your thoughts?

1) Did you read this because you were interested in:

☐subdivisions ☐both
☐hard rock mines ☐other_____

2) How would you rate each section you read:

Subdivision	Hard Rock Mining
☐extremely useful	☐extremely useful
☐useful	☐useful
☐little use	☐little use
☐no opinion	☐no opinion

3) Before you had read the WORKBOOK, how much influence do you think you could have had on a local development?

☐a great deal ☐little influence
☐some influence ☐no influence

4) Now that you've read the WORKBOOK, do you think you could have more influence?

☐much more influence ☐little more influence
☐more influence ☐no more influence

5) How would you rate your community as a place to live?

☐extremely enjoyable ☐mildly disagreeable
☐mildly enjoyable ☐extremely disagreeable

CLIP THIS COUPON TODAY!

The other side of this coupon is your invitation to join the EIC. Clip it, and your membership brings you a year of DOWN TO EARTH, EIC's bimonthly review of important resource news in Montana; THE CAPITOL MONITOR, a weekly bulletin to keep you informed when the state legislature is in session, and all EIC special publications, such as this WORKBOOK and EIC's legislative analyses.

But most important, your membership brings you a strong voice in determining the way we'll be using Montana's rich natural resources for years to come.

Please fill out the coupon and mail it today!

6) Is your community:

- ☐urban (large city)
- ☐urban (small city)
- ☐small town
- ☐suburban
- ☐rural (agricultural)
- ☐rural (other)

7) What do you think are the most important resource issues facing Montana today?

8) Would you like to see a WORKBOOK on any other topics?

Any other comments?

Please return to: EIC, Box 12, Helena, MT, 59601

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NOTES:

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